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LYNN FAZZ
CLERK OF SUPERIOR COURT
YUMA ARIZONA 85364

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF YUMA

In the Matter of:

**REVISION OF CALENDAR AND
CASE ASSIGNMENTS FOR THE
SUPERIOR COURT IN YUMA
COUNTY, ARIZONA,
EFFECTIVE MAY 16, 2016,**

Administrative Order
2016-18

This Administrative Order amends and supersedes all previous Administrative Orders pertaining to calendar and case assignments for the Superior Court, in and for the County of Yuma.

IT IS THEREFORE ORDERED, effective **May 16, 2016**, and until further order of the Presiding Judge, assignments for the Judges and Commissioners of the Yuma County Superior Court shall be/remain as set forth below:

- (1) Mark Wayne Reeves shall remain assigned to Division One;
- (2) John Paul Plante shall remain assigned to Division Two;
- (3) Larry Kenworthy shall remain assigned to Division Three;
- (4) David M. Haws shall remain assigned to Division Four;
- (5) Roger A. Nelson shall be assigned to Division Five;
- (6) Maria Elena Cruz shall remain assigned to Division Six;
- (7) Kathryn Stocking-Tate shall remain assigned as Commissioner One;

1 (8) Stephen J. Rouff shall be assigned as Commissioner Two; and

2 (9) Lisa W. Bleich shall remain assigned as Commissioner Three.

3 **IT IS ORDERED**, effective **May 16, 2016**, and until further order of the
4 Presiding Judge, the **CRIMINAL CASE** assignments shall be as follows:

5 Beginning with cases filed on or after **May 16, 2016**, and until further order of
6 the Presiding Judge, all felony criminal complaints filed in Justice Court shall continue
7 to be assigned on a rotation basis in Justice Court, with the division rotation for
8 assignment of Superior Court Cases being, Division Four, Division Five, Division Six,
9 Commissioner Two and Commissioner Three. All co-defendant cases shall continue
10 to be assigned to the same Superior Court Division. In order to facilitate this
11 procedure, the Yuma County Attorney's Office shall continue to file a Notice of Filing
12 Co-Defendant Complaints when filing co-defendant cases in Justice Court.
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15 **IT IS ORDERED**, that in criminal cases filed *on or after May 16, 2016, which*
16 *originate in a manner other than by way of a felony complaint being filed in Justice*
17 *Court*, the Clerk of the Superior Court shall assign these cases as follows:
18

- 19 (1) All numbered cases, the last digit of which number is "0", "1", or "2" to
20 Division Four;
21 (2) All numbered cases, the last digit of which number is "3" or "4" to
22 Division Five;
23 (3) All numbered cases, the last digit of which number is "5" or "6" to
24 Division Six;
25 (4) All numbered cases, the last digit of which number is "7" or "8" to
26 Commissioner Two;
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28

- 1 (5) All numbered cases, the last digit of which number is "9" to
2 Commissioner Three.

3 **IT IS ORDERED**, as to all criminal cases filed *prior to May 16, 2016*:

- 4 (1) All open criminal cases presently assigned to the Honorable Larry
5 Kenworthy, Division Three, shall remain assigned to the Honorable
6 Larry Kenworthy until they are adjudicated or unless reassigned by
7 written order. All criminal cases presently assigned to the Honorable
8 Larry Kenworthy with an outstanding warrant, or adjudicated criminal
9 cases that are subsequently reopened, shall be reassigned according
10 to the numbering system above.
11
12 (2) All open criminal cases presently assigned to the Honorable David M.
13 Haws, Division Four, shall remain assigned to the Honorable David M.
14 Haws, Division Four.
15
16 (3) All open criminal cases presently assigned to the Honorable Maria
17 Elena Cruz, Division Six, shall remain assigned to the Honorable Maria
18 Elena Cruz, Division Six.
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20 (4) All open criminal cases presently assigned to the Honorable Stephen J.
21 Rouff, Commissioner Two, shall remain assigned to the Honorable
22 Stephen J. Rouff, Commissioner Two.
23
24 (5) All open criminal cases presently assigned to the Honorable Lisa W.
25 Bleich, Commissioner Three, shall remain assigned to the Honorable
26 Lisa W. Bleich, Commissioner Three.

27 **IT IS ORDERED**, that all criminal cases in which a defendant was originally
28 sentenced by a judge who is active and sitting as designated in Division One,

1 Division Two, Division Three, Division Four, Division Five, and Division Six, or by
2 Commissioner One, Commissioner Two, or Commissioner Three, (or the case has
3 been assigned to one of the above by administrative or written order), shall continue
4 to be assigned to that judge for all Petitions for **Post-Conviction Relief** proceedings.

5 **IT IS ORDERED**, beginning **May 16, 2016**, that all criminal cases in which a
6 defendant was originally sentenced by a Judge *other than* the Honorable David M.
7 Haws, the Honorable Roger A. Nelson, the Honorable Maria Elena Cruz, the
8 Honorable Stephen J. Rouff, and the Honorable Lisa W. Bleich, if reopened, shall be
9 reassigned to another division according to the numbering system set forth above.
10 Such reassignments shall include, but are not limited to, Petitions for Violation of
11 Probation, Petitions for Restoration of Civil Rights, and Petitions to Modify Probation.
12

13 **IT IS ORDERED**, effective **May 16, 2016**, and until further order of the
14 Presiding Judge, the regular **CRIMINAL CALENDARS** (other than jury trials) shall be
15 held as follows:
16

17	Comm. Two:	Tuesday -8:30 a.m. to Noon and
18		1:30 p.m. to 5:00 p.m. (PVCs/VOPs at 11:00 a.m.)
19	Division Four:	Wednesday -8:30 a.m. to Noon and
20		1:30 p.m. to 5:00 p.m. (PVCs/VOPs at 11:00 a.m.)
21	Division Six:	Wednesday -8:30 a.m. to Noon and
22		1:30 p.m. to 5:00 p.m. (PVCs/VOPs at 11:00 a.m.)
23	Division Five:	Friday -8:30 a.m. to Noon and
24		1:30 p.m. to 5:00 p.m. (PVCs/VOPs at 11:00 a.m.)
25	Comm. Three:	Friday -8:30 a.m. to Noon and
26		1:30 p.m. to 5:00 p.m. (PVCs/VOPs at 11:00 a.m.)
27		
28		

1 **IT IS ORDERED**, effective **May 16, 2016**, and until further order of the
2 Presiding Judge, all Motions to Review Conditions of Release shall continue to be
3 heard before the assigned Judge/Division.

4 **IT IS ORDERED**, effective **May 16, 2016**, and until further order of the
5 Presiding Judge, the Honorable John Paul Plante shall continue to assume the
6 primary assignment of all matters pertaining to a **GRAND JURY** requiring the
7 attention of a Superior Court Judge in Yuma County.

9 **IT IS ORDERED**, effective **May 16, 2016**, and until further order of the
10 Presiding Judge, all **ARRAIGNMENTS** shall be heard by the Honorable David M.
11 Haws, Division Four, on Mondays commencing at 8:30 a.m., unless the date and
12 time is rescheduled by order of the court.

14 **IT IS ORDERED**, effective **May 16, 2016**, all defendants placed into the Yuma
15 County Adult Probation Department's **S.A.F.E.** program shall continue to be assigned
16 to the Honorable Maria Elena Cruz, Division Six.

18 **IT IS ORDERED** that **LAW AND MOTION DAY** shall continue to be the first
19 working day of each week, with proceedings being held on that day unless otherwise
20 set by the Judge assigned to a particular case.

21 **IT IS ORDERED**, effective **May 16, 2016**, all defendants placed into the
22 **MENTAL HEALTH SPECIALTY COURT** shall continue to be assigned to the
23 Honorable Lisa W. Bleich, Commissioner Three. Mental Health Court shall be heard
24 on Mondays commencing at 1:30 p.m., unless the date and time is rescheduled by
25 order of the court.
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1 **IT IS ORDERED**, effective **May 16, 2016**, and until further order of the
2 Presiding Judge, that all cases of the **ADULT DRUG COURT** shall be assigned to
3 Commissioner Two and Division Six. Commissioner Two Adult Drug Court shall be
4 heard on Fridays at 3:00 p.m. The Honorable Andrew W. Gould, Superior Court
5 Judge Pro Tem, may be assigned to cover Commissioner Two Drug Court until
6 further order of the Court. Division Six Adult Drug Court shall be heard on Thursdays
7 at 3:00 p.m.
8

9 **IT IS ORDERED**, effective **May 16, 2016**, and until further order of the
10 Presiding Judge, **DOMESTIC RELATIONS CASES**, *including Title IV-D child support*
11 *actions initiated by the Arizona Attorney General's Office*, filed beginning **May 16,**
12 **2016**, shall be assigned as follows:
13

- 14 (1) All numbered cases, the last digit of which is "0", "1", "2" or "3", shall be
15 assigned to Division Two, the Honorable John Paul Plante.
- 16 (2) All numbered cases, the last digit of which is "4", shall be assigned to
17 Division Five, the Honorable Roger A. Nelson.
- 18 (3) All numbered cases, the last digit of which is "5" shall be assigned to
19 Commissioner Two, the Honorable Stephen J. Rouff.
- 20 (4) All numbered cases, the last digit of which is "6", "7", "8", or "9", shall be
21 assigned to Commissioner Three, the Honorable Lisa W. Bleich.
22

23 **IT IS ORDERED**, beginning **May 16, 2016**, and until further order of the
24 Presiding Judge, all **TITLE IV-D** child support actions initiated by the Arizona
25 Attorney General's Office shall continue *to be heard by* the Honorable Kathryn
26 Stocking-Tate, Commissioner One.
27
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1 **IT IS ORDERED**, all domestic relations cases filed *prior to May 16, 2016*, and
2 assigned or administratively reassigned to:

- 3 (1) The Honorable John Paul Plante, Division Two, shall remain assigned
4 to the Honorable John Paul Plante.
- 5 (2) The Honorable Stephen J. Rouff, Commissioner Two, shall remain
6 assigned to the Honorable Stephen J. Rouff.
- 7 (3) The Honorable Lisa W. Bleich, Commissioner Three, shall remain
8 assigned to the Honorable Lisa W. Bleich.

9
10 **IT IS ORDERED** that any domestic relations cases filed prior to **May 16, 2016**,
11 that come on before the court for hearing or review after **May 16, 2016**, which
12 are not assigned/reassigned to the Honorable John Paul Plante, Division Two,
13 the Honorable Stephen J. Rouff, Commissioner Two, or the Honorable Lisa W.
14 Bleich, Commissioner Three, shall be automatically reassigned according to
15 the numbering system above.

16
17 **IT IS ORDERED**, effective **May 16, 2016**, and until further order of the
18 Presiding Judge, all domestic relations **DEFAULT** actions shall be heard by the
19 Honorable John Paul Plante, Division Two, on Monday afternoons at 1:30 p.m.

20
21 **IT IS ORDERED** beginning with cases filed on or after **May 16, 2016**, and until
22 further order of the Presiding Judge, that the Clerk of the Superior Court shall assign
23 **CIVIL CASES** as follows:

- 24
25 (1) All Civil cases shall be assigned to Division Three, the Honorable Larry
26 Kenworthy.

27 **IT IS ORDERED**, as to all civil cases filed *prior to May 16, 2016*:

- 28 (1) All civil cases currently assigned to the Honorable John Paul Plante,

1 Division Two, shall remain assigned to the Honorable John Paul Plante,
2 Division Two.

3 (2) All civil cases currently assigned to the Honorable Larry Kenworthy,
4 Division Three, shall continue to be assigned to the Honorable Larry
5 Kenworthy, Division Three.

6 (3) All civil cases currently assigned to the Honorable David M. Haws,
7 Division Four, shall continue to be assigned to the Honorable David M.
8 Haws, Division Four.

9 (4) All civil cases currently assigned to Division Five shall be assigned to
10 the Honorable Roger A. Nelson, Division Five.

11 **IT IS ORDERED**, beginning with cases filed on or after **May 16, 2016**, and
12 until further order of the Presiding Judge, the **PROBATE/GUARDIANSHIP CASE**
13 assignments shall be as follows:

14 (1) All probate/guardianship cases shall be assigned on a rotation basis to
15 the Honorable Larry Kenworthy, Division Three and to the Honorable,
16 Roger A. Nelson, Division Five, with all odd numbered cases being
17 assigned to Division Three and all even numbered cases being
18 assigned to Division Five.

19 **IT IS FURTHER ORDERED** that as to Probate/Guardianship cases filed *prior*
20 **to May 16, 2016:**

21 (1) All probate/guardianship cases currently assigned to the Honorable
22 Larry Kenworthy, Division Three, shall continue to be assigned to the
23 Honorable Larry Kenworthy, Division Three.

24 (2) All probate/guardianship cases currently assigned to the Honorable

1 David M. Haws, Division Four, shall be reassigned to the Honorable
2 Roger A. Nelson, Division Five.

3 **IT IS ORDERED**, beginning **May 16, 2016**, and until further order of the
4 Presiding Judge, the **MENTAL HEALTH CASE** assignments shall be as follows:
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- 6 (1) All mental health cases filed beginning May 16, 2016, shall be assigned
7 to the Honorable David M. Haws, Division Four.
- 8 (2) Any mental health cases filed *prior to* May 16, 2016 that come before
9 the court for hearing or review, shall automatically be reassigned to the
10 Honorable David M. Haws, Division Four.
11

12 **IT IS ORDERED**, beginning **May 16, 2016**, and until further order of the
13 Presiding Judge, the **ELECTION CONTEST** assignments shall continue to be as
14 follows:

- 15 (1) All "election contest" cases shall be assigned to the Honorable Larry
16 Kenworthy, Division Three; and
17
- 18 (2) Division Three of the Superior Court in Yuma County shall be
19 designated the "election division" of the Superior Court in Yuma County.

20 **IT IS ORDERED**, beginning **May 16, 2016**, and until further order of the
21 Presiding Judge, the **SEXUALLY VIOLENT PERSON CASE** assignments shall be
22 as follows:
23

- 24 (1) All civil cases where a petition has been filed seeking an order of the
25 court to detain a person as a Sexually Violent Person pursuant to the
26 Sexually Violent Persons Act, ARS §§36-3701 through 36-3716, shall
27 be assigned to the Honorable David M. Haws, Division Four. Cases
28 filed prior to May 16, 2016, that come before the court for hearing or

1 review shall be automatically reassigned to the Honorable David M.
2 Haws, Division Four.


3 **IT IS ORDERED**, that effective **May 16, 2016**, and until further order of the
4 Presiding Judge, the **ADOPTION CASE** assignments shall continue to be assigned
5 as follows:

- 6
- 7 (1) All adoption cases shall be assigned on a rotation basis to the
8 Honorable Kathryn Stocking-Tate, Commissioner One, and to the
9 Honorable Mark Wayne Reeves, Division One, with all odd numbered
10 cases being assigned to the Honorable Kathryn Stocking-Tate,
11 Commissioner One, and all even numbered cases being assigned to
12 the Honorable Mark Wayne Reeves, Division One; and
13
- 14 (2) Any adoption case filed *prior to* May 16, 2016, that come before the
15 court for hearing or review, shall be automatically assigned on a
16 rotation basis to the Honorable Kathryn Stocking-Tate, Commissioner
17 One, and the Honorable Mark Wayne Reeves, Division One, according
18 to the numbering system above.
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20 Notwithstanding the foregoing judicial assignments, during the absence or
21 unavailability of any Superior Court Judge/Commissioner, another Superior Court
22 Judge or Commissioner/Pro Tem may be substituted in his or her place.

23 DATED this ^{5th} 5 day of May, 2016.

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Honorable Maria Elena Cruz
Presiding Judge

Copies to:

Hon. Mark Wayne Reeves, Division One
Hon. John Paul Plante, Division Two
Hon. Larry Kenworthy, Three
Hon. David M. Haws, Division Four
Hon. Roger A. Nelson, Division Five
Hon. Maria Elena Cruz, Division Six
Hon. Kathryn Stocking-Tate, Commissioner One
Hon. Stephen J. Rouff, Commissioner Two
Hon. Lisa W. Bleich, Commissioner Three
Hon. Andrew W. Gould, Superior Court Judge Pro Tem
Hon. Gregory Stewart, First Precinct Justice Court
Hon. Juan Guerrero, Second Precinct Justice Court
Hon. Russ Jones, Third Precinct Justice Court
Hon. Lynn Fazz, Clerk of the Superior Court
Margaret C. Guidero, Court Administrator
Kathy Schaben, Trial Court Administrator
Cary Meister, Court IT Manager
Sandra Hoppough, Chief Adult Probation Officer
Tim Hardy, Director of Juvenile Court Services
Jon Smith, Yuma County Attorney
Michael Breeze, Yuma Public Defender
Terri Capozzi, Yuma Legal Defender
Shannon Gunderman, Conflict Administrator
Dona Miller-Robbins, Casflow Manager
Yuma County Bar